

# Law Enforcement News

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## Two shots echo in Tacoma

### Blame game erupts as "unfit" chief kills wife & self

As a picture now emerges of David Brame as a troubled and violent man who rose through the ranks to become police chief of Tacoma despite being deemed psychologically unfit to join the force, residents are demanding to know which of their municipal officials knew about his problems and how far back that knowledge went.

The tempest now enveloping Tacoma erupted on April 26 in the parking lot of a local shopping center, when Brame, 44, shot his wife in the head and then killed himself. Crystal Brame, 35, died a week later on May 3. The couple had been going through a rancorous divorce. Just days before the incident, in divorce filings, Crystal Brame publicly stated that her husband had threatened her with a gun, choked her, and obsessively tried to control her life. Brame, for his part, had accused his wife of physically and verbally abusing him.

In the aftermath of the tragedy, the city has been in turmoil.

Assistant Chief Catherine Woodard, 48, was removed as interim chief when it became known that Crystal Brame had accused her of threatening and intimidating her when Woodard arrived at Mrs. Brame's parents' home with the chief to pick up the couple's two children.

The Washington Association of Sheriffs and Police Chiefs (WASPC) and a three-member

investigative team from the Washington State Patrol's Criminal Division are investigating Woodard.

An investigation into Brame's rise through the ranks and all of the aspects of the murder-suicide



David Brame  
Who knew?

case will be handled jointly by state and federal authorities.

"We will pursue this case wherever the facts lead us without fear or favor and we will aggressively prosecute if that is where the evidence leads us," said state Attorney General Christine Gregoire, who was joined at a news conference by State Patrol Chief Ronal Serpas; John McKay, the U.S. Attorney for Western Washington; and Charles Mandigo, the special agent in charge of the FBI's Seattle office.

Gregoire's office will lead any prosecution team. An initial investigation by the State Patrol found indications of a possible violation of federal criminal law, McKay told The Associated Press, but he declined to elaborate.

Brame's career is already being investigated by WASPC, but the organization's ability to conduct an impartial inquiry has been questioned by Tacoma residents at recent City Council hearings.

"We're very concerned about people in blue protecting people in blue," Sherry Bockwinkel, a local business owner, told The Seattle-Post Intelligencer. "What we need is true independence — an investigation with no ties to police."

Brame, a native of Tacoma whose father was a retired local officer and whose brother, Gene, is

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## Amid the fallout from anti-war protests, police harvest a few object lessons

Just a few months after anti-war demonstrators took to the streets in cities across the country, officials in New York, San Francisco and other jurisdictions where huge rallies were held are now dealing with the fallout from actions taken by law enforcement agencies on those days.

One of the agencies to come under the heaviest fire has been the New York City Police Department. A 25-percent increase in allegations of officer misconduct during the first three months of 2003 has been attributed to the massive anti-war demonstration held in front of the United Nations complex on Feb. 15. Some 60 complaints focused

on the rally, and eight more were received in April by the Civilian Complaint Review Board (CCRB) stemming from subsequent protests.

The Daily News reported in April that the CCRB had received 1,383 complaints from January through March, up from the 1,118 that were logged during the same period last year.

In a 35-page report by the New York Civil Liberties Union released last month in April, the group charged that police used horses to intimidate protesters, doused them with pepper spray, and denied them access to First Avenue, where the rally was being held. The city had fought to keep protesters from

marching past the U.N., instead agreeing to a "stationary rally" with crowds confined to "pens" created by metal barricades.

"We have looked at this issue and have found police acted professionally," NYPD spokesman Michael P. O'Looney told The Daily News. "Any allegations of wrongdoing are being investigated by the Civilian Complaint Review Board and the Internal Affairs Bureau."

The department blamed the protest's organizers, claiming that there were too few marshals on hand to give information to protesters. "There was also a small hard-core group of demonstrators

intent on having a confrontation with police," said O'Looney.

Perhaps more troubling to civil libertarians and some constitutional law experts, however, was an initiative that involved questioning those arrested about their political beliefs and affiliations and entering the information into a database.

While Police Commissioner Raymond W. Kelly defended the agency's right to engage in the practice, saying it was neither illegal nor unconstitutional, he nevertheless halted it. "We determined that was not that necessary," he said. "So we directed the form no longer be used."

The debriefing form was used by detectives to record where arrested protesters attended school, their membership in organizations and their involvement in past protests. The New York Times reported its usage was brought to light when the NYCLU received hundreds of e-mail messages following

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## CrimeWeb alert system quickly outgrows its humble Texas roots

When a child is missing, or an Alzheimer's patient wanders away, police departments can now communicate rapidly with the local citizenry as well as with their counterparts hundreds of miles away by using a relatively new program that distributes email alerts to its members.

Called CrimeWeb.Net, the system is the brainchild of a Mesquite, Texas, police captain, who first developed the concept while at the FBI Academy in 1997. Although Mesquite was the first law enforcement agency to go online with the program in August 2002, it has quickly expanded to 27 agencies in five

states.

"It's totally Web-based, it requires no software at the police department, and you can use it on any computer that has Internet access," CrimeWeb's creator, Capt. Robert Piccioni, told Law Enforcement News.

The network is based on a ZIP-code algorithm, he said, which allows users to send alerts to any part of the country based on a specific ZIP code, between two ZIP codes, or within a 100-mile radius from the participating jurisdiction. It sends out four types of alerts to subscribers: missing child, missing adult, homeland and community secu-

rity, and major crime.

Piccioni offered the hypothetical case of a non-custodial kidnapping where, say, a parent has taken a child from its home in Dallas and is heading for New Orleans. By entering both cities' ZIP codes, the network will send alerts to those locations, and to every registered user between them.

"We can also use it for mobile units," said Piccioni. "We use a little HP scanner we have and we can scan the picture directly onto the laptop and create an alert, attaching the picture and basically sending it to everyone in the country."

There is no charge for any law enforcement agency, individual or media outlet to receive an alert, or to receive alerts in several areas of the country. The network includes among its subscribers the Southern Methodist University Police Department in Texas, and the campus law enforcement agency at the University of Minnesota. Piccioni said that parents can register using their home ZIP code and that of the school their children attend. In that way, they can be notified of public safety incidents that occur on campus.

Subscription costs for law enforcement

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### Another milestone:

With this edition, Law Enforcement News is proud to mark 600 issues (and counting). It's been a long and fascinating journey since Volume I, Number 1. Be sure to stay with us as we continue on toward future milestones.



# Around the Nation

## Northeast



**CONNECTICUT** — Twenty-one New Haven police officers have accepted an early retirement package that included \$20,000 incentive. Twelve of the department's 20 most senior officers took the buyout, including Chief Melvin H. Wearing.

**Internal affairs investigators in Hartford** are investigating the disappearance of thousands of dollars in jewelry and cash from a safe that was seized in a drug bust. Chief Bruce P. Marquis said that while it was unclear when the theft occurred, police and other department employees are being investigated. The investigation is not limited to the property room, which has been marred by scandal in past years. Detectives from the vice and narcotics division placed the safe with officers in evidentiary services while they obtained a search warrant to inspect its contents. It was then brought to the property room.

**MAINE** — According to The Portland Press Herald, overtime stemming from increased security at the Portland International Jetport has doubled the salaries of some Portland police officers. Last year, two supervisors earned more than Police Chief Michael Chitwood's annual \$89,000 salary.

**MARYLAND** — In Carroll County, an advocacy group for rape victims is planning to distribute to local bars tens of thousands of cocktail napkins bearing a message reminding patrons that date-rape drugs can be slipped into their drinks.

**MASSACHUSETTS** — State Police Sgt. Timothy White, who is already accused of attempted murder for sticking a gun in his wife's mouth, was indicted again on April 15 on charges that he stole approximately 13 kilos of confiscated cocaine and tried to re-sell it. Authorities began an investigation of White after they found evidence that White was using drugs around January, when he was charged with assaulting his wife. White allegedly stole cocaine eight different times, replacing the cocaine with cornstarch while transporting the drugs from the state police bunker to an incineration facility.

**NEW HAMPSHIRE** — Littleton police believe that several pipe bombs that exploded outside a local market April 27 were meant to distract attention from a break-in at a gun shop about a mile away. The robbers grabbed numerous handguns while police were investigating the explosions.

**NEW JERSEY** — Omar Marti, 23, who was wanted for the fatal shooting of Fair Lawn Police Officer Mary Ann Collura and the wounding of another officer, was killed in a gun battle in Florida when he opened fire on six Hernando and Sumter county deputies. Bergen County Prosecutor John L. Molinelli referred to Marti's death as "suicide by cop" and expressed satisfaction that a capital murder trial would be avoided. Four of Marti's relatives have been charged with helping him escape; another man, who was believed to have given Marti the car he used to get to Florida, was still at large. Collura,

43, was responding to a call for assistance from Clifton Police Officer Steven Farrell when both officers were shot. As Collura lay on the ground, fatally wounded, it is believed that Marti jumped in her car and ran over her body.

**NEW YORK** — After a recent police chase in Suffolk County, officers did not have to go far to transport the suspect. County park police officer Patrick Noack had pulled over the suspect, Troy Stephani, 32, for driving erratically and started to question him. Stephani took off, with Noack hanging onto the truck door's handle. Police from the highway patrol and other units joined the chase, which ended when Stephani inadvertently turned into the parking lot at county police headquarters. The police boxed in his vehicle and arrested him after a brief struggle. Stephani told police he fled because he wanted to finish smoking his crack.

Neither New York City nor the police department was responsible for the 1989 killing of Jean Singleton by her boyfriend, Brooklyn police officer Felix Key, a Manhattan Supreme Court justice has ruled. The officer, who shot Singleton and then killed himself, had a history of violence, and had been put on modified duty in 1984 after assaulting another girlfriend. After psychological treatment, he was restored to active duty in 1986. The judge found that the city and department did not violate any procedures when they restored Key's gun and job to him.

A heroin operation in New York City was recently undone by its neighbors' sense of smell. Complaints of noxious fumes by people in a residential neighborhood in Maspeth, Queens, brought police to a home that served as a makeshift laboratory that smuggled about \$22 million in heroin into the city in recent months. In Colombia, the drugs had been mixed with a resin and molded into bed headboards and footboards. The solvents and other chemicals needed to filter out the impurities sent off strong fumes. When detectives from the Queens Narcotics Major Case Unit came to the apartment, they were nearly overcome by the fumes. They interrupted two men who were melting down a shipment.

Anthony Vazquez, the 14-year-old son of New York City Police Officer Jose Vazquez, was accidentally killed April 2 after he and a friend started playing with a pistol. The two boys found the weapon and were playing with it, taking pictures, when the friend, assuming it was unloaded, aimed the gun at Anthony and fired, hitting him in the head. The gun was a spare weapon that Officer Vasquez kept in the family's Oakdale apartment.

**PENNSYLVANIA** — Philadelphia transit police say they will no longer arrest people for performing in the subway system, after officials agreed to a \$33,000 settlement of a lawsuit brought by a saxophone player who was arrested twice for playing in the subway.

**VERMONT** — The state House has passed a bill that permits police dogs to enter public places even when they are not on duty. Currently, only dogs that assist the disabled are permitted in public places.

When a recent manslaughter trial ran

out of jury candidates, Judge David Howard issued an emergency summons and Windham County deputy sheriffs rounded up about two dozen registered voters in downtown Brattleboro.

## Southeast



**FLORIDA** — Richard Roy, 41, has been accused of robbing the same bank twice in one week. During the second robbery, he passed a note to the teller that said, "No dye pack this time. I will shoot you!" When apprehended, he told police that the red dye on his hands was from coloring Easter eggs. A bank employee recognized the robber as a customer's boyfriend.

A federal judge ruled April 10 that Sami Al-Arian, a former computer engineering professor at the University of South Florida, must remain in jail without bond on charges that he led the U.S. operations for the militant group Islamic Jihad, which is said to be responsible for 100 murders in Israel and its territories. Al-Arian is also charged with helping members of the group enter the U.S. Al-Arian and a co-defendant who was also denied bond, Sameeh Hammoudeh, were deemed a danger and a flight risk.

**GEORGIA** — A movie producer is said to be researching the December 2000 murder trial of former DeKalb County sheriff Sidney Dorsey, who was convicted of ordering the assassination of his successor, sheriff-elect Derwin Brown.

**LOUISIANA** — Gov. Mike Foster has granted early release for a man who served nearly three years of a seven-year sentence for attempted manslaughter after he shot his 13-year-old daughter's molester. The molester, who was convicted of indecent behavior with a juvenile, served two years and eight months in prison.

In an effort to protect its employees and students from a serial killer who has murdered five women, Louisiana State University has removed personal contact information from its telephone information line and Internet directory. The names and work numbers of faculty and staff will remain available because they are public employees, a university spokesman said.

**MISSISSIPPI** — State Attorney General Mike Moore has said he will not investigate charges of excessive force by the Starkville Police Department during a disturbance at a local bowling alley, although he will track the FBI's probe into the March 1 incident, in which five teens were arrested.

**NORTH CAROLINA** — In the past eight months, judges in Charlotte have dismissed 27 drunken driving charges because it apparently took too long to process the suspects at the jail. In DWI cases, time is crucial because much of the evidence, like blood-alcohol level, vanishes within a few hours.

Two men who were accused of dragging Charlotte-Mecklenburg Police Officer Craig Scaccia 300 yards with their van turned themselves in at the

Mecklenburg jail. Christopher Neal, 23, and James Austin, 22, were charged with assault with a deadly weapon on a law enforcement officer. On April 4, officers stopped the van and police said they heard one of the two men yell at the other to drive away. Scaccia reportedly reached inside the van to prevent the driver from pulling away, but the passenger grabbed the officer's hand as the other man drove off.

The NAACP is investigating the Wilmington Civil Service Commission, after it ordered the reinstatement of two police officers who had been fired for arresting a black City Council member. Officer Paul Nevitt was reinstated, but he then resigned and applied for a deputy position with the county sheriff's office. Officer Lisa Kittrell, who had been Nevitt's supervisor, was reinstated to the sergeant's position she held at the time. The female council member was arrested on Nov. 6 and charged with driving while impaired, but the charges were dropped when a breath-alcohol test came up negative.

Randolph County sheriff's deputy Toney Clayton Summey, 41, was fatally shot with his own weapon by a suspect who was resisting arrest. Deputy Nathan Hollingsworth was wounded in the arm. The incident occurred April 27 when the two officers tried to serve a warrant on Alexander Charles Polke for assault on a female, communicating threats and other misdemeanors. Polke was arrested and charged with murder.

**TENNESSEE** — An enhanced 911 system is operating in 53 counties across the state and by the end of the year should be online statewide. The system uses satellite Global Positioning System technology that more precisely tracks 911 calls made on cell phones.

## Midwest



**ILLINOIS** — East St. Louis City Manager Robert P. Storman fired Police Chief Delbert Marion April 8, citing morale problems and what he called Marion's lax approach to law enforcement. However, Mayor Debra A. Powell-Childress called Storman's motives "purely political," after Mayor-elect Carl E. Officer narrowly beat another opponent in an April 1 election. Marion and Officer are lifelong friends. Storman replaced Marion with Assistant Chief Ronald Matthews.

For five days starting May 12, the state conducted a massive disaster-response exercise, dubbed TopOff 2, designed to test the preparedness of local, state and federal officials and agencies. The drill included such scenarios as a bioterror attack, an airplane crash, explosion of a dirty bomb, and the detection of several al-Qaida sleeper cells. TopOff 1, which took place in 2000, revealed vulnerabilities that included a lack of protective equipment, a shortage of medications and the ability to distribute them, and problems with radio communications. The federal government is spending \$16 million on the drill.

Bloomington Police Chief Roger Aiken was suspended for two days in early April after racially and sexually offen-

sive e-mails were found circulating within the department. Two other officers were suspended and three department employees were reprimanded.

After a newspaper story revealed that a convicted arsonist, Antuan McClenton, was serving as a volunteer in the Golden Garden Fire Protection District in Centerville, St. Clair County State's Attorney Bob Haida called on the state Assembly to change the law to prevent that from happening. Due to a loophole in the current law, arsonists and other felons are barred from being paid members of city-run fire departments, but not from being members of volunteer forces.

**KENTUCKY** — Beverly Blakney, 51, and her son, Angel, 26, were charged with evidence-tampering and abuse of a corpse after police found a dead woman in the back seat of their car at a checkpoint. They told police that they didn't know the woman, 32-year-old Glenda Howard, was dead. An autopsy was scheduled to be performed.

Former Dayton police officer Terry Meadows will serve no prison time after admitting to using excessive force during a traffic stop. Instead, he was sentenced to eight months of home incarceration and five years probation, after pleading guilty to federal civil-rights charges. Former Floyd County sheriff's deputy Bobby Hackworth, who tried to cover up the incident, was sentenced to six months of house arrest, three years probation and a \$2,500 fine. Prosecutors said that Meadows struck Amos Darwin Blackburn while he was handcuffed face down on the concrete and that Hackworth saw the incident and lied to the FBI and local authorities about it.

**MICHIGAN** — A federal judge has dismissed a lawsuit in which Detroit police officer Eugene Brown charged the city and its police commission with constitutional violations. Brown, who had fatally shot three people and wounded a fourth during his six years on the job, said that he was passed over for promotion despite being cleared of wrongdoing by the department and an arbitrator's decision that said he was qualified for the position. While conceding that Brown was used as a scapegoat to quell public outcry, Judge Gerald Rosen said Brown lacked legal grounds for his lawsuit.

Thousands of people have been turning out at Grand Rapids Community College to apply for Mexican Government-issued ID cards. The cards, which have been around for years, have received more attention since Sept. 11, 2001, and Mexican officials have been holding events encouraging people to get the consular IDs. The documents do not affect immigration status but do enable people to engage in such activities as opening bank accounts.

**OHIO** — An off-duty Summit County sheriff's deputy fatally shot a man who was breaking into his home. The deputy said that he and his wife were in bed at around 11 p.m. on April 23 when they heard glass break in another room. The deputy, who was not identified, went into the room and saw a man trying to get in a window. The deputy warned him to stop but shot him when he kept coming. The suspect had apparently been using inhalants minutes before the



incident.

Hoping to solve the 70-year-old "Torso Murders" case, Cleveland police are doing DNA testing on a postcard that was sent to Elliot Ness, a city official at the time. In the 1930's, the pieces of seven men and five women were found. Only three of the victims were ever identified. The postcard, which was sent to Ness years after the crimes, was at the Cleveland Police Historical Society Museum, when a museum member, Police Officer Tom Armelli, told a documentary film crew about it.

Although it was created only five months ago, the Franklin County family drug court has 17 cases, which is more than halfway to its goal of 30 cases a year. The court was established for addicts who are in danger of losing their children.

**WEST VIRGINIA** — Officials in Grant and Randolph counties are working to establish a central 911 system. Currently, residents in Grant County must dial a seven-digit number and provide addresses and directions. In Randolph County, residents have to call ambulance crews, fire or police separately.

Clendenin's two remaining police officers have resigned, leaving the town without a police force since Chief Oavid Crowder and two other officers were fired last month to help pay off \$30,000 in back taxes and unpaid bills. In quitting, the two remaining officers cited potential job offers and dissatisfaction with their current schedules. The Kanawha County Sheriff's Department is currently handling any emergency calls, but some City Council members are insisting that two officers be hired immediately.



Plains States

**IOWA** — An Iowa company, Pharmacom Corp., is developing a portable instrument that can detect biological agents in the air, water or on a surface. William Wang, a scientist and the company's president, said that uses for the device could include detecting pathogens in public schools, detecting alcohol and drugs in police work, preventing the spread of animal diseases and exposure to agricultural chemicals, as well as meeting the threat of bioterrorism. He foresees a market of about \$2.6 billion annually within five years of the product's release.

A report issued by the state Department of Public Safety to assess racial profiling in the state patrol, has concluded that while motorists were not likely to be pulled over because of their race, non-white motorists were twice as likely to be searched by troopers. Whites were more likely to receive a warning, while minorities were more likely to be arrested. Col. Robert Garrison, the state patrol chief, said that while the report raises some concerns and will be used in ongoing discussions about racial profiling, it does not provide statistically significant or clear evidence of racial profiling.

**MISSOURI** — A Kansas City police

informant is suing the police for \$50 million, claiming that officers framed him in a burglary. He was released from prison in 2001 when a judge overturned his conviction. The police say that they had just cause for the arrest and that the lawsuit was filed too late.

The FBI and the Defense Department have offered their help in trying to identify the beheaded body of a little girl, nicknamed "Precious Doe," by police, which was found in a wooded area of Kansas City in April 2001. The FBI is sending experts to the city and the Defense Department is providing investigators from the Armed Forces Institute of Pathology, the organization that has identified service members killed in combat as well as disaster victims. Kansas City detectives have so far investigated more than 600 leads and still have 284 tips to follow up.

**NEBRASKA** — A federal court has ruled against a woman who alleged that Gage County sheriff's deputy Aaron Crooks violated her civil rights. Linda Johnson said that in April 2000, Crooks followed her vehicle for 11 miles and stopped her because she is black and drove a luxury car. Crooks gave her a warning for crossing over the center line. Johnson's husband said that the next day, Crooks called him and told him that his wife acted inappropriately by calling the officer a racist. Crooks was disciplined by the sheriff's department. Judge James Loken held that there was no evidence that "Crooks does not stop non-African Americans under similar circumstances."

Earl E. Burns, 44, of Lincoln, pleaded no contest and was sentenced to four to six months in the work ethic camp at McCook, plus three years of probation and 13 more days in jail, for placing Molotov cocktails outside the Clay County Courthouse in hopes of avoiding a court appearance. The fuses on the explosives were not lit and did not cause any damage. His original court date was for a repeat drunken-driving offense.

**SOUTH DAKOTA** — Vermillion Police Chief Art Mabry wants his department to become the second police agency in the state to earn national accreditation. To that end, the City Council has budgeted \$7,000 to hire an accreditation manager. Mabry, who has worked at accredited departments in other states, said that the process is worth the cost as it creates lower liability insurance costs and raises the bar on performance standards. If successful, Vermillion will join Rapid City as accredited agencies.

Waubay's police chief and only police officer, Chris Seaboy, resigned from the department in April, saying that City Council members have made it difficult for him to do his job. He said that members told him not to pursue violators of alcohol laws so aggressively and not to park on Main Street, because it could hurt business at bars. The Oay County Sheriff's Department will provide police protection until a replacement is hired.

**WYOMING** — A judge has ruled that former Campbell County sheriff's deputy David S. McElhiney has no legal right to review his internal investigations file. McElhiney claims that the reasons given for his firing in Decem-

ber were only excuses, and that he was really dismissed because he supported current Sheriff Bill Pownall over the former sheriff in the last election. The judge did allow him access to documents, letters, and other items that he was already given.



Southwest

**ARIZONA** — Fired Scottsdale Police Chief Ooug Bartosh has filed a \$5.5-million wrongful-termination suit against the city and City Manager Jan Oolan. Bartosh claims that his First Amendment rights were abridged when he was asked not to speak publicly about an independent audit that was critical of the police department. Bartosh said that he was fired by Dolan after speaking out about the audit, but the real reason he was fired was that she didn't want the public to know about the flawed audit process.

Employees of the federal Bureau of Land Management joined with volunteers recently to replace barriers of concrete and steel near Hereford. The barriers had been torn down by illegal immigrants and drug smugglers, who use the area for illegal border crossings.

**COLORADO** — Gayle Brooks, the mother of a Boulder High School student, has launched a volunteer program that gives students confidential rides home if they have been drinking. One of the volunteers, Samantha Jambor, said that she thinks the program will work because it is confidential and students are afraid of their parents finding out they've been drinking. The program, Safe Rides, is only available now to Boulder High students but Brooks said she would like to see it expanded.

After nearly 30 years, a suspect has been arrested in the 1975 disappearance and murder of American Indian Movement activist Anna Mae Pictou-Aquash. The 30-year-old woman had been found shot in the head, her body dumped on the Pine Ridge reservation in South Dakota, several months after she disappeared from her Denver home. Detective Abe Alonzo, who was assigned to the case in 1994, was credited with finding and arresting Arlo Looking Cloud, 49, a homeless man who is already known to police, having been cited for a wide array of misdemeanors. Pictou-Aquash was among the militants who occupied Wounded Knee in a 71-day standoff with federal authorities in 1973. Over the years, there has been speculation that she was killed by AIM members whom she knew to be government spies. Others thought she was killed for being an informant.

**OKLAHOMA** — According to a recent poll sponsored by The Tulsa World, Oklahomans may be more prepared for a terrorist attack than people in any other state. According to the poll, 50 percent of the people surveyed said that they were ready for an attack should one happen in their community, compared to only 43 percent of Americans nationwide. In addition, 49 percent of Oklahomans said they have food and water stockpiled, 72 percent have a battery-powered radio with fresh batteries, 79

percent have a first aid kit, and 40 percent have an interior "safe room." Al Soltow, the director of research at the University of Tulsa, said the state's preparedness is probably a result of having lived through the 1995 bombing of the Alfred P. Murrah Federal Building.

**TEXAS** — Pablo Guzman Salinas, 39, pleaded guilty and was sentenced to 25 years in prison on April 28 for the killing of Winderest police officer Lt. John Paul Frisco in December 1985. Frisco was in uniform and working off-duty as a security guard, when he noticed a suspicious man in a pickup truck. He chased the vehicle and grabbed onto it, and the truck, which was traveling 100 mph, dragged the officer down the road. Frisco's body was run over by at least one passing car. Police were never able to track leads in the case but finally got a break when they arrested a drug suspect — a friend of Salinas — two years ago. The suspect gave them a description of the truck and where to find it.

Oallas police Senior Cpl. Mark Delapaz was fired last month after being indicted on charges of civil rights violations and making false statements. He is the first officer to be fired in connection with a fake drug scheme in which confidential informants set up dozens of innocent people, usually Mexican immigrants, on drug charges. The drugs later turned out to be legal substances like ground gypsum.

A senior forensic scientist with the Fort Worth police, Karla Carmichael, who was fired on April 19 for not following procedures, maintains that she was made a scapegoat for the city's troubled crime lab. DNA testing at the Fort Worth lab has been suspended since last fall, when results of the same tests done by the Tarrant County Medical Examiner's office conflicted with Carmichael's results. The results prompted prosecutors in a capital murder trial to forego seeking the death penalty. Carmichael said that she was fired for practices that she was trained at the lab to carry out and were common to the lab.



Far West

**ALASKA** — Dennis Slocumb, the vice president of the International Union of Police Associations, recently sent a strongly worded letter to Alaska Senator Ted Stevens, criticizing him for opposing overtime for emergency personnel in the war on terrorism. Stevens was quoted as saying that he didn't know why "people working for the cities and counties ought to be paid overtime when they're responding to matters of national security." Slocumb pointed out that 63 of the first responders to the World Trade Center who died on Sept. 11, 2001, were off-duty at the time.

**CALIFORNIA** — After years of firings, retirements and resignations, the Los Angeles Police Department plans to hire 675 new officers, which will mean the department will end the fiscal year in June with a net increase of about 325 officers. Mayor James K. Hahn said that the department is expecting to lose 350 to retirements and res-

ignations. The department will still be 285 officers below its peak number, 9,852, which it reached five years ago.

A federal judge on April 2 issued a temporarily restraining order harring Los Angeles police from conducting random sweeps of the city's Skid Row district, in the absence of "reasonable suspicion." The ruling came in a lawsuit filed by the ACLU, which had alleged that police stopped people who were not on parole or probation and conducted unwarranted searches on encampments, shelters and hotels frequented by homeless people. A spokesman for the City Attorney, however, said that the investigations were carefully designed to identify and arrest parole violators.

The Los Angeles Police Protective League has reassured the mother of a 23-year-old U.S. marine from Maine that it will pay the late charges her son has been amassing on a parking ticket. Cpl. Brad Gaumont received a ticket in Los Angeles shortly before being shipped out to Iraq, where he has since been getting notices of the late fees.

The San Jose Police Department has launched a community alert program that allows authorities to email groups when a major crime has happened in the area. To keep the workload down, officials will email the messages to youth centers, neighborhood associations, businesses and other groups of 10 or more people, and the recipients will forward the messages to people on their own mailing lists.

Rodney King, the man whose 1991 beating by Los Angeles police officers was caught on videotape, nearly killed himself in April when his sport utility vehicle plowed into a house at about 100 mph. King was hospitalized with a broken pelvis; no one inside the house was injured.

**HAWAII** — Responding to a lawsuit filed by Police Officer Mark Begley against the county, Kauai Mayor Bryan Baptiste said that he would ask the FBI and the U. S. Attorney's office to investigate allegations that some police are members of a criminal drug trafficking organization.

**IDAHO** — The Madison County Sheriff's Department is abandoning its 10-year-old Berettas for the Glock 22, a highly accurate .40-caliber polymer handgun. Although the weapons and their accessories generally cost \$600 each, the department was able to get all 18 new handguns for less than \$500, by trading in the old weapons as well as seized firearms and equipment the office did not use.

The Coeur d'Alene Tribe and Kootenai County have signed an agreement to cross-deputize officers to work in both jurisdictions in order to get the closest officer available in emergencies. County officers will take a 40-hour class to learn about tribal law, tribe officers are already enrolled in the 14-week state Peace Officer Standards and Training program.

**NEVADA** — A state panel has unanimously endorsed a plan to help facilitate the tracking of the state's worst sex offenders. The plan would ensure that people requesting information could do so anonymously. The state will also get a sex predator Internet listing.



## Eye-opener

Chicago Police Supt. **Terry Hillard** survived a tour as a Marine in Vietnam, getting shot, and a bout with colon cancer. But when his close friend, First Deputy Supt. John Thomas — who was six years younger than Hillard — died of a heart attack earlier this year at age 53, it shook him.

"That hit me hard," he said. "I really did. It told me, 'You've got 35 years on this job. You're in the sixth year of superintendency. Look back and think about Terry Hillard.'"

Hillard, who announced his retirement on April 18, was a surprise pick



**Supt. Terry Hillard**  
*Leaving with colors flying*

for the top job by Mayor **Richard Daley** in 1998. He succeeded **Matt Rodriguez**, who was forced out after allegations came to light about his long-time friendship with a felon who was questioned about a 1987 unsolved murder. Among the other candidates whom Hillard beat out for the post was **Charles Ramsey**, who subsequently left the Chicago P.D. to head the Metropolitan Police Department in Washington, D.C.

Speculation began to percolate almost immediately as to who will replace Hillard when he leaves in August. Ramsey is considered by some to be on the short list. Others who could make the list of semifinalists, or even finalists, include **Joseph DeLopez**, Winnetka's police chief and a former Chicago deputy superintendent, and Chicago deputy superintendents **Jerry Robinson** and **John Richardson**.

Hillard has had the longest tenure of any Chicago police superintendent in the past two decades. Under his leadership, the department has improved its technology to the point where residents can see their neighborhood crime statistics on the Web. Patrol cars are linked to a data warehouse that allows crime reports to be sent electronically while they cruise.

At the same time, however, a series of mistakes and scandals forced changes in the agency.

After detectives charged two boys, ages 7 and 8, with the murder of 11-year-old **Ryan Harris** in 1998, the department began videotaping confessions in homicide cases. The children were released after a DNA test proved they were not old enough to have left semen traces.

Then in 1999, police shot two unarmed civilians in separate incidents during a June weekend. The summer was filled with protests about alleged

brutality.

In January, gang investigator **Joseph Miedzianowski** was sentenced to life in prison for running an interstate cocaine-smuggling ring. In addition, the department lost six officers in the line of duty during Hillard's tenure.

"I've probably buried more police officers than any superintendent I can remember," he told *The Sun-Times*. "That's because of the proliferation of guns, gangs and drugs. Each time, it was heart-wrenching."

While Hillard would go out of his way for any cop who made an honest mistake, he threw the book at those who practiced corruption.

"Like in any corporation or profession — whether it's law enforcement, business, medicine, religion or the press — you're gonna have those folks who think they can take shortcuts," he said. "But we've been very aggressive, both internally and externally, in going after folks involved in corruption."

## Home again

Promising no change just for change's sake, **Theodore Kohuth**, a Pennsylvania State Police troop commander, returned this month to the town where he spent a portion of his childhood to lead its police department.

Kohuth said he is comfortable in Whitehall Township, and felt he knew the residents and they knew him. A graduate of the State Police Academy in Hershey, Kohuth was assigned to the Pennsylvania Turnpike patrol in 1978. He retired this month as commander of Troop M, a position he had held since 1997.

The Whitehall Police Department, with its 47 members, is a far cry from Troop M, where Kohuth was responsible for 220 employees in three counties. Still, he said he finds the impending change "exhilarating." It will allow him to focus all the energy and resources of the force on public safety in the township.

"I want to talk to every member of the department and get from them what they feel is right with the Whitehall Police Department and what they feel can be improved," he said.

As for disciplinary actions that have been taken against police officers in recent years, Kohuth told *The Allentown Morning Call* that he would "leave the past behind us."

Township commissioners unanimously approved Kohuth's appointment, at a \$77,200 annual salary.

## Horse trading

When **John McDermott**, a New Jersey police officer, had to choose between a pursuing a career in horse-training or continuing one in law enforcement, it was the ponies that won by a nose.

McDermott, 37, hung up his badge and became a full-time trainer at the Meadowlands Racetrack in 1999.

"The only reason I quit my job was my 'disease' of the horses," he said. "The turning point came when I just didn't have enough time for the job, the horses, and my wife and three kids. I

worked midnights and mornings went straight into the barn. I ran back and forth, and it got really drawing. I was never getting home. After my family, the horses are my second love."

While a student at Bergen Community College in 1987, McDermott began working for a trainer. The year he joined the Summit force, 1989, was the same that he formed a small stable of his own.

During his career in law enforcement — including five years in Summit, N.J., three in Florida and one in Roxbury, N.J. — McDermott trained between one and five horses at a time, dividing his time between Florida and New Jersey. In 1997, when he joined the Roxbury force, he began working for his brother's stable. **Kevin McDermott**, 35, is considered one of the top trainers at the Meadowlands.

About law enforcement, McDermott said he loved working with people and helping them. He was honored by the Summit department for thwarting a potential suicide.

"He was going to dive off a switching tower for the railroad," said McDermott. "I tackled him, and I was able to drag him back off the roof he was trying to jump off of. If we had tumbled forward, the high-tension wires would have fried us both."

In the past four years, McDermott has built up a stable of young stakes-quality horses and claimers. He won a training title at the Pompano Park, Fla., summer meet in 2001, but moved back to New Jersey.

"They're athletes," McDermott says about horses, "and I love the competition."

## Wearing out

New Haven, Conn., Police Chief **Melvin H. Wearing** will be leaving the city where he has spent his 35-year career at a time when its crime rate is at its lowest level in years.

Wearing, who has led the agency since 1997, was one of 21 department officials who recently took advantage of a \$20,000 early retirement package offered by the city. Assistant Chief **Douglas McDonald** also took early retirement, leaving newly promoted Assistant Chief **Francisco Ortiz** as the department's highest-ranking officer.

The 59-year-old Wearing was New Haven's first black chief. A proponent of community policing and a New York-style crackdown on street crime, Wearing also promoted early intervention

with juveniles to prevent crime.

"He can hold his head up because he's leaving the department when the city's crime rate is down," said **Jorge Perez**, president of the city's board of aldermen.

Amid the innovation and the crime-fighting success, Wearing also had to deal with scandal. His Chief of Detectives, **Capt. Brian Sullivan**, was suspended along with another detective after they were accused of concealing evidence in a 1994 murder case. Sullivan will be tried this summer.

"It's just time to move on," Wearing told *The Associated Press*. "I had a wonderful career in law enforcement."

## CLEAR favorite

**Ron Huberman**, an assistant deputy superintendent with the Chicago Police Department who played a key role in the development and implementation of the cutting-edge network known as the Citizen and Law Enforcement Analysis and Reporting (CLEAR) system, has been chosen by the Police Executive Research Forum as the winner of the 2003 Gary P. Hayes Memorial Award.

"Ron Huberman is a perfect choice for this award," said Chicago Deputy Supt. **Barbara McDonald**, a PERF board member. "Those of us lucky enough to work with him see his commitment to our profession every day. He represents the very best in policing."

In just eight years as a law enforcement officer, Huberman has risen from a rookie with the agency's tactical gang team to chief of staff of its Bureau of Administrative Services. He was named to that position in 2000 after completing two master's degrees, in business administration and social services administration, during a leave of absence.

CLEAR is an analytical tool that the department uses to improve its response to crime and to build a closer relationship with the community. Not only has it transformed the way the Chicago force operates, it has become a model for other agencies. By helping to implement the system, Huberman is changing "an entire facet of policing," said **Chuck Wexler**, PERF's executive director.

"Ron Huberman's efforts are bringing this system to other jurisdictions and revolutionizing how police across the country use technology," said Wexler.

## Time's up

Saratoga Springs, N.Y., Police Chief **Kenneth King** turned in his retirement papers in April after having led the 70-member force for 17 years.

"He's made up his mind," Public Safety Commissioner **Thomas Curley** told *The Albany Times Union*. "He has over 30 years in. I've come to respect Kenny a lot. He's been a big help to me. He's leaving a legacy."

King's successor will be appointed by Curley, with the candidates coming from a municipal civil service exam for chief and assistant chief that was given in March. Curley did not know whether a more recent list will be available before he makes the appointment, but

among those on the previous list is **Capt. Robert Flanagan**.

Flanagan and King have been friends since the third grade and in 1999, King donated 30 of his own 400 sick days to Flanagan. The previous year, Flanagan had undergone a kidney transplant, then two hip replacements.

"I've known the man for, what, 44 years?" said King. "I figure the man has enough problems to worry about other than having to worry about feeding his family. What do I need the time for?"

King, who joined the force in 1969, will leave office on June 21. Saratoga County District Attorney **James A. Murphy III** said he would be disappointed to see King go. The chief, he said, has always been a "tremendous resource" for his office.

"He runs a very good department. He is always available," Murphy told *The Times Union*. "He works with all law enforcement agencies and maintains the independence of the Saratoga Springs Police Department. He does this job without favor or bias. As a result he has kept a very high sense of community in Saratoga Springs."

## Going, going...

Brimfield, Mass., officials were surprised when their part-time chief of 2½ years, **John D. Jovan Jr.**, handed in his resignation in April. They were even more dumbfounded when he told them a week later that he was considering rescinding it.

For two weeks last month, it appeared uncertain just who would be chief. The situation would be vexing at any time, but it was especially so coming just weeks before the town held the first of its thrice-yearly antiques fairs, the largest such event in New England.

Jovan said he was "50-50" about leaving. He had served three years with the Brimfield force, and had a total of 15 years in police work, including eight years as chief in Holland, Mass.

Some opportunities had opened up at the insurance company where he works, Jovan explained, and he needed time to spend with his family.

The Brimfield force consists of one lieutenant, a sergeant, nine patrolmen and four auxiliary officers. Jovan puts in 30 to 40 hours a week, for which he receives an annual salary of \$6,099.

"For a town this size, we have an adequate police force, manpower-wise, but the unique requirements in this town involving the antique shows in May, July and September strain our resources to the breaking point," he told *The Worcester Telegram & Gazette*. "I cannot afford to take 15 vacation days each year from my full-time job to continue to adequately cover the shows. The state police will answer emergency calls, but directing traffic is strictly a Brimfield responsibility on busy Route 20."

**Diane M. Panaccione**, who chairs the town board, said Jovan would have had to notify the board in writing rescinding his resignation prior to April 30. But with Jovan's status up in the air, the board appointed retired chief **Charles L. Boucher**, to begin serving in the interim effective May 1.

"Because Chief Jovan has not rescinded his resignation, it was in the best interest of the town to move forward and accept his resignation," said Panaccione.



**Chief Melvin Wearing**  
*Package deal*



# Police under scrutiny over kidnap case

Salt Lake City Mayor Rocky Anderson said last month that he would ask City Council members to reconsider their decision to support a review by an independent commission only of the police investigation in the Elizabeth Smart kidnapping case, and not the handling of four murders nearly two decades ago, of which all but one remain unsolved.

Anderson appointed the commission days after 15-year-old Smart was recovered, apparently unharmed, on March 12. The panel will look into whether law enforcement fully investigated her abduction, or whether they became fixated on one particular suspect who was later found to have had nothing to do with the crime.

Members include David Roth, a former state district judge; John T. Nielsen, former state public safety commissioner; Carol Clawson, former state solicitor general; Richard D. Burbridge, a partner in a local law firm; and Michael Goldsmith, a law professor at Brigham Young University. Their probe

into the Smart investigation is expected to take a year.

Smart, then 14, was snatched at knifepoint from her bedroom last June while her 9-year-old sister watched. She lived with Brian D. Mitchell, 49, and his wife, Wanda I. Barzee, 57, in a campsite just three and half miles from her home until August. Mitchell, also known as Emmanuel, had done odd jobs for the Smarts.

In October, the three traveled to San Diego and lived in a campsite there until March 12. Just 12 hours after they returned from California, Smart was found living in Sandy, a suburb of Salt Lake City. They had been recognized by Nancy and Rudy Montoya, regular watchers of "America's Most Wanted."

Last June, police had questioned an ex-convict named Richard I. Ricci and charged him with a parole violation. In July, he was charged with stealing items from the Smarts' home and another house in 2001. Ricci died of a brain hemorrhage while in police custody.

According to Anderson, Police

Chief Rick Dinse and federal investigators were too focused on Ricci and failed to follow up on a tip about Mitchell given them by Smart's younger sister, Mary Katherine.

The little girl told her parents in October that she thought it was Mitchell, whom she called Emmanuel, who had taken Elizabeth. Investigators also neglected to follow information supplied by members of the Smart family that Mitchell had used a campsite near the family's home.

"One of my primary concerns is whether the police publicly committed themselves to one theory and, as a result, neglected evidence or failed to effectively pursue leads that went in a different direction from their theory," Anderson said in an interview quoted by The New York Times. "I think the same questions apply to the FBI as to police investigators."

Dinse, who conceded that investigators had made mistakes, said he regretted that a sketch of Mitchell released by the family in February had

not been made public sooner. That sketch was recognized by relatives of Mitchell's, who provided the photograph ultimately used by "America's Most Wanted."

Chip Burrus, special agent in charge of the FBI's Salt Lake City office, denied that the bureau was negligent in any way.

"The mayor is entitled to his opinion," he told The Times. There was not much to recommend Mitchell as a suspect, said Burrus, noting that he had no criminal history other than a shoplifting charge.

"With Mitchell, there was a lot to lead him away from us," said Burrus. "It wasn't like he was a known pedophile or anything."

Although the commission Anderson appointed in March planned to hold off on reviewing the Smart investigation until after Mitchell and Barzee were prosecuted, the mayor had wanted the panel to pursue the police department's handling of the four earlier murder cases. At one time, Anderson had been

hired as legal counsel by the families of the three victims whose deaths remain unsolved.

There have been "significant questions" for years, said Anderson, concerning the investigation during the mid-1980s into the deaths of Christine Gallegos, Tiffany Hambleton, Lisa Strong and Carla Maxwell. Only Strong's murderer was ever caught. Victims' relatives and three police investigators accused department officials of ignoring evidence that could have linked the four deaths to one man, Forrest L. Whittle.

Whittle was convicted in August 1996 and sentenced to life imprisonment for shooting Strong, a 25-year-old artist and model. His name was provided to a special homicide task force in 1987 by Greg Chase, Frank Hutton-Ward and Jon Ilk, detectives who worked on the case.

The pistol that killed Strong was found to be the same one used in the murder of Maxwell, 20, and Gallegos, 18. Some investigators believe that it was also Whittle who killed 14-year-old Hambleton.

At the time, however, the tip was dismissed by Jim F.G. Bell, the task force's leader, who said he was "100 percent sure" that a serial killer from Idaho, Paul Ezra Rhoades, had killed all four.

In April, relatives of the four victims urged City Council members to rethink their decision not to include the murders in the commission's task.

"They have gone through the worst kind of hell," Anderson told The Deseret News. "As mayor, it is incumbent upon me to make sure the city meets its obligations to these victims and their families."

## Amber Alert closer to going nationwide as Bush signs child-protection bill

Under a comprehensive child-abduction statute signed last month by President Bush, the government will provide matching grants to states and communities for the expansion of the Amber Alert network, as well as increase penalties for crimes involving children.

"It is important to expand the Amber Alert systems so police and sheriff departments gain thousands or even millions of allies in the search for missing children," said Bush during the bill-signing ceremony on April 30. "Every person who would think of abducting a child can know that a wide net will be cast. They may be found by a police cruiser or by the car right next to them on a highway. These criminals can know that any driver they pass could be the one that spots them and brings them to justice."

Among its provisions, the new law requires mandatory searches in public buildings when a child is reported missing. Called the Code Adam Alert, it was named for Adam Walsh, the 6-year-old boy who was abducted from a Florida



Surrounded by former missing children and their families, President Bush signs the Amber Alert bill during a ceremony on April 30.

shopping mall in 1981.

At the urging of Republicans in Congress, it also makes virtual child pornography illegal. The U.S. Supreme Court last year ruled a similar 1996 law unconstitutional. By prohibiting the

solicitation of anything represented to be child pornography, the bill will make it easier to prosecute sex-tour operators and people who travel overseas for sex with minors.

Although the bill won broad bipar-

tisan support, Democrats argued that restricting the ability of federal judges to reduce sentences for some of those crimes should have been more thoroughly debated.

"These provisions may do serious harm to the basic structure of the sentencing guideline system and...seriously impair the ability of the courts to impose just and responsible sentences," said Senator Edward M. Kennedy (D-Mass.).

Some had charged that the additional provisions would slow efforts by states to launch Amber Alert networks. But Republicans successfully resisted efforts to separate Amber Alert from a comprehensive child-abduction system.

"It would be a huge mistake, because these provisions are designed to prevent kidnappings and molestations from happening in the first place," said Representative F. James Sensenbrenner Jr., a Wisconsin Republican who chairs the House Judiciary Committee.

The bill passed by a vote of 400 to 25 in the House, and 98 to 0 in the Senate.

## Report says law enforcement is slow to wise up to "policing smarter"

The law enforcement community has yet to fully subscribe to the notion that policing "smarter" is better than policing "more," according to a study released in April by the Police Foundation, which examined the advance of problem analysis within local departments.

Broader in scope than problem solving, problem analysis, explained the study, is the gathering of data from a variety of sources in an effort to discern the causes of specific offenses. While beat officers may use limited analysis to reduce calls for service at a particular location—for example, identifying an ongoing dispute between two neighbors as the reason for repeated calls from a trailer park—problem analysis would dig deeper, perhaps

seeking to evaluate residents' perceptions, it said.

The study is the product of a two-day forum held in 2002 by the foundation, which brought together a panel of criminal justice practitioners, scholars and policy makers, including Prof. Herman Goldstein of the University of Wisconsin Law School; Dr. Rachel Boba, director of the Police Foundation's Crime Mapping Laboratory; Edward Flynn, Secretary of Public Safety for Massachusetts; and Michael Scott, a police consultant for the Justice Department's Office of Community Oriented Policing Services.

"The first and most obvious reason that problem analysis has lagged behind responding to problems is that, historically, catching the bad guys has been

the primary focus of the police, rather than analyzing crime and disorder problems," the report said.

Policing values experiential knowledge accumulated through the investigation of crimes at the individual level. "Research knowledge," said the study, "has not been accumulated or valued as highly. The key is to blend these two types of knowledge as each improves the value of the other."

A key recommendation of the panel was that efforts to advance problem analysis should be focused on departments that believe in the approach. When enough successful examples of the approach can be amassed, according to the report, these practitioners could be used to demonstrate its value, and to serve as role models.

"A particularly successful agency that is a model of problem-analysis integration, as the New York City Police Department was to CompStat, can encourage others to adopt problem analysis," said the report.

The implementation of a problem-analysis pilot training program is also being implemented by the Police Foundation through the COPS office. Ten analysis from agencies already using the approach will be chosen to participate in the instruction, provide feedback and apply what they've learned within their departments.

The goal is not only to create a training curriculum for academics and practitioners, the report said, but also a motivated group of analysts who can pass their enthusiasm along to others.

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## Iraq duty beckons US cops

The State Department is in the first stages of recruiting seasoned law enforcement officers from around the country as part of a mission to help rebuild and train police forces in Iraq.

The Department of Justice has reportedly sent a 26-member assessment team to Baghdad to join the Office of Reconstruction and Humanitarian Assistance in determining what type of officers will be needed and where in Iraq they will be assigned.

Dyncorp International has been contracted to recruit the first 150 candidates who will eventually be joined by another 1,000 police, correction officers and other law-enforcement and criminal-justice professionals. Candidates must have at least 10 years on the job, and have served for the past two years at the rank of sergeant or above, a company spokesman told Law Enforcement News.

"Once that team gets to Baghdad, they will sit down and get organized to see exactly where they're going to go, what they're going to do and how they're going to approach the process," he said.

The goal is not to have U.S. police restore law and order in Iraq, but rather to "provide assistance during an interim period until local capabilities are built up," said a spokesman for the State Department.

Although law enforcement officers from the United States have been sent on missions to Haiti and Bosnia, among other countries, as part of international coalitions under the auspices of the United Nations, each of these missions is different.

"We felt all along that the infrastructure in Iraq would be there or could be set back up," the State Department spokesperson told L&E. "They would just need that help, [that] mentoring-type process. That's why we went that way." Until the assessment is completed, he noted, "We're just waiting on the sidelines, waiting for the phone to ring and tell us what they need."

There is speculation that Dyncorp recruiters are especially interested in current and former sworn officers from the New York City Police Department. Officials have estimated that the salary for the assignment — which could last from 90 days to a year — could be \$80,000 a year.

Members of New York's Finest who do sign up for the mission in Iraq may run into a familiar face there — former police commissioner Bernard Kerik, who recently accepted a White House appointment as a senior policy adviser in Iraq's reorganized Interior Ministry. Published reports quoted the 47-year-old Kerik as saying that he expected to be in Iraq for at least six months, where he will focus on revamping police operations, including eliminating human rights abuses and encouraging more patrols.

Putting the cork back in the bottle:

## Answers sought for climb in DWI deaths

With alcohol-related traffic fatalities on the rise for the third straight year after a decade of declines, a variety of measures that include everything from goggles that simulate drunkenness to tougher laws aimed at hard-core drunken drivers are being sought by lawmakers, government agencies and advocacy groups.

Traffic deaths overall rose in 2002 to their highest levels since 1990, to 42,850 from 42,116 the year before, according to preliminary statistics released last month by the National Highway Traffic Safety Administration. Of those, 17,970 were related to alcohol, representing a 3-percent increase over the same period in 2001. And while mandatory seatbelt and safety seat laws resulted in fewer children dying in car crashes, the deaths of drivers between the ages of 16 and 20 increased by nearly 6 percent.

Among the steps being taken by both legislators and agencies such as the National Transportation Safety Board to reduce the death toll on the highways are laws that would focus on the most intoxicated of drivers, those caught driving with a blood-alcohol level nearly double the legal limit, or who have continued to drive drunk despite DUI convictions or prior arrests.

The safety board recommended in May that a new charge of aggravated drunken driving be established for hardcore offenders, and that plea bargaining be eliminated when it might result in a conviction for a charge that does not include alcohol.

Although such people are said to make up as few as 1 percent of all drivers, they are estimated to represent 27 percent of drivers involved in fatal accidents.

According to Ellen Weinstein, a safety board staff member and an expert on highway transportation, the problem of hard-core drunk drivers is getting worse. Such drivers were involved in 39.9 percent of accidents in 1998, she told The New York Times.

By 2001, that figure had risen to 46.5 percent.

Over the past 15 years, Weinstein said, the country has lost ground on drunken driving. When it became a national issue in 1982, she told The Times, 53 percent of fatal crashes involved someone with a blood-alcohol level of at least .08. By 1997, that figure had fallen to 34 percent, but by 2001, it was back up to 35 percent.

The board also advocated doing away with programs that allow drivers to have their records expunged in exchange for treatment or community service. Sobriety checkpoints, the seizure of vehicles and retention of conviction and arrest records for at least 10 years were also suggested.

"We're not a regulatory agency, we're a bully pulpit," said Ellen G. Engelman, the safety board's new chairwoman, who was sworn in on March 24. But, she told The Times, "We want to hold services daily."

In New York, which had the third fewest alcohol-related deaths nationwide in 2002 after Utah and Vermont, legislators will still be working to close loopholes in the state's existing drunken driving laws.

Lawmakers passed a bill in December to lower the legal definition of drunken driving from a blood-alcohol level of .10 to .08. Under the Pena-Herrera DWI Omnibus Bill, drivers who kill multiple victims in an alcohol-related crash could face consecutive sentences, instead of just one sentence regardless of how many lives were lost. It would also increase penalties for vehicular manslaughter, and for those who have been found to have mixed drugs with alcohol before taken hitting the highway.

"It will create a lot less innocent victims," State Police Supt. James W. McMahon told The Albany Times Union. "It's a comprehensive law that takes existing law and expands it or corrects defects in it."

The bill was named for the victims

## Aggressive drivers urged to chill out

With an estimated two-thirds of fatal traffic accidents attributable to aggressive — not drunken — driving, state and local law enforcement in the Washington, D.C., Beltway area will once again be launching a crackdown on that type of behind-the-wheel behavior.

According to the National Highway Traffic Safety Administration, as many as 1,000 deaths per year in the three-jurisdiction area of Northern Virginia, Maryland and the District of Columbia are the result of aggressive driving.

Under an initiative dubbed "Smooth Operator," more than 50 state and local law enforcement agencies will participate in four week-long waves of enforcement. Police activities will be coupled with me-

dia coverage to remind motorists of the consequences of driving offensively.

Since its debut in 1997, the number of citations issued during the month that Smooth Operator is enforced has grown from 62,000 to 700,000.

"The aftermath of aggressive driving again proves the adage that an ounce of prevention is worth a pound of cure," said Dr. Samir Fahkry, head of trauma services at Inova Fairfax Hospital in Virginia. "That's why the Smooth Operator campaign is so very important. It halts this destructive behavior before it has a chance to wreak havoc on the lives of both aggressive drivers and those on the receiving end of those behaviors."

in a 2001 drunken driving incident involving former New York City police officer Joseph Gray.

Many of its provisions are items which Mothers Against Drunk Driving are urging federal lawmakers to take up. The group used the anniversary of the nation's worst drunken-driving crash to launch its campaign to get a package of highway safety provisions included in the multibillion-dollar Transportation Equity Act of the 21st Century.

Under the MADD proposal, a National Traffic Safety Fund would be established to support ongoing state and national enforcement programs, such as checkpoints. Provisions in the federal law would also act as a prod to get states to enact statutes that would target repeat offenders and those caught with high concentrations of alcohol in their blood, as was recommended by the

safety board.

"Drunk drivers are slipping through cracks in the system because of public and political complacency," said MADD president Wendy J. Hamilton. "The result is a growing number of broken bodies, broken families and broken hearts left in the wake of drunks behind the wheel."

The group has also taken launched a program involving goggles that simulate levels of alcohol impairment. Aimed at teenagers, the MADD Fatal Vision Goggles use technology to cause a loss in equilibrium simulating low, moderate and high levels of drunkenness.

"We are always looking for creative ways to educate people on alcohol impairment and illustrate ways it can ultimately affect our ability to drive," said Hamilton.

## Having second thoughts, court bars troopers from suing for legal expenses

While local police can recoup legal expenses by suing their municipality if they have successfully defended themselves in a criminal proceeding, state police officers cannot, according to a controversial new ruling by the Connecticut Supreme Court.

The 4-3 decision, which was handed down in March, reverses a unanimous ruling issued by a five-justice panel just 16 months earlier in the case of a former state trooper, Alex Martinez, who was accused in 1998 of propositioning a female motorist.

In the November 2001 ruling, the panel held that Martinez could sue the state Department of Public Safety to recover the expenses he incurred fighting the charge. Martinez had been acquitted by a Bridgeport Superior Court jury in 1999.

The state had asked that his suit seeking reimbursement be dismissed on the grounds that sovereign immunity bars it from being sued without its consent. In its decision at the time, the state high court cited a statute that specifically allows a waiver for state police who win in court.

*Sovereign immunity protects Connecticut from being sued without its consent.*

"Whenever... the charge is dismissed or the officer found not guilty, such officer shall be indemnified by his employing government unit for economic loss sustained by him as a result of such prosecution, including the payment of any legal fees necessarily incurred," the justices wrote.

But in the new decision released on March 31, the court found that in order to pursue claims for reimbursement, troopers must first petition the state claims commissioner. Connecticut law, the narrow majority said, does not explicitly waive the state's sovereign immunity to be free from lawsuits.

The commissioner can authorize a payment of up to \$7,500, but for any amount in excess of that, he must make a recommendation to the Legislature. That recommendation, which is non-binding, can be amended, adopted or rejected.

In the Martinez case, the legal fees in question totaled \$93,143.30 from the time the case was initiated.

"The statute, as interpreted by the majority, now treats state police officers differently from municipal officers," wrote Justice Flemming L. Norcott Jr. in a dissent. "This distinction is neither expressed nor can it be implied from the language of the statute, nor can it be gleaned from the legislative history. Nor is there, in my opinion, any rational basis for the disparity in the treatment of state and municipal officers, who are listed in the same indemnification statute, have the same job requirements and confront the same risks in the court of their employment."

Norcott was joined in dissent by justices David M. Borden and Richard N. Palmer.

Palmer and Norcott sat on the panel

that decided the case in 2001, as did justices Christine Vertefeuille and Peter T. Zarella and Judge Referee William L. Wollenberg, all of whom changed their position.

After that ruling, the state Attorney General's office moved for a hearing before all seven justices on the court.

At Martinez's trial, the plaintiff claimed that he had pulled in behind her at a gas station and demanded to see her driver's license, then threatened to give her a ticket unless she performed oral sex.

Under cross-examination, the woman admitted to being a prostitute who often frequented area truck stops. Martinez claimed that the woman had waved him down, complaining that one of her tires had been slashed. When she was cited for not producing a driver's license, she became verbally abusive, Martinez testified.

The trial judge, John P. Maiocco Jr., would not allow the jury to hear that police found a box of condoms in Martinez's cruiser, and that similar allegations had been made against him by another woman.



# Domestic abuse meets hostage negotiation

The recognition by California police and training instructors that as many as three-quarters of hostage and barricade situations may have their roots in domestic violence has led to the development of two cutting-edge classes — one aimed at giving negotiators insight into the psychology of both domestic abusers and their victims, and the other at handling investigations that involve fellow officers who may be a party to such offenses.

"It's a new approach to crisis negotiations or hostage negotiations," said Lt. Gary Gregson, commander of the Sacramento Police Department's hostage negotiations team, in an interview with Law Enforcement News. "We have recognized over the course of time as negotiators, and with the assistance of the FBI and its database and information collection project, that a vast majority of the...critical incidents are really either the direct result of a domestic violence incident, or has some foundation in domestic violence."

What surprises him, Gregson said, is that with the number of high-profile domestic-violence events, training in this area is not more widespread. The murder-suicide in April of Tacoma Chief David Brame and his wife, Crystal, could have easily become a negotiation opportunity. [See article, Page 1.]

Gregson was part of a panel convened in 1999 by the California Peace Officers Standards and Training board to develop a training program for hostage negotiators on domestic abuse and its link to critical-incident response. At least two-thirds of such events have a connection to family violence, he said.

"There are so many unusual twists and turns in the domestic violence circle, negotiators should understand that particular dynamic better so that they're better able to effectively communicate and hopefully, peacefully resolve it," said Gregson.

Experts brought in by the panel to train members included hostage negotiators, prosecutors, victims advocates from around the country, and domestic violence investigators who are experts in the field. The intensive, three-day class, "Domestic Violence for Crisis Negotiators" was developed after 18

months of meetings.

The course is taught at the San Diego Regional Training Center and is free to anyone in law enforcement. It is funded by a federal grant under the Violence Against Women Act. Participants are instructed in the characteristics of batterers, the impact of such incidents on children, the "specific dynamics" of domestic abuse and how, as learned behavior, it can be passed down through families, said Gregson.

When hostage negotiators are called in, he said, they are usually presented with a situation in which the taking of a hostage is either "instrumental or expressive," he said. In a crime such as a robbery, a hostage is an instrument through which the perpetrator hopes to achieve either an escape or some other goal. Not so in a barricade or hostage-

taking event that has a foundation in domestic abuse, said Gregson.

A recent Sacramento case in which a father held his five children hostage would be an example of an expressive event, or one in which many of its elements are involved in the passions of a relationship.

"Negotiators need to know about domestic violence in a more acute fashion," said Gregson, "plus, they need to know how to delve into the relationship, to understand the dynamics of what's going on between that couple, and why did it result in this barricade or hostage-taking tonight."

The other training course, which has just gotten underway, deals with police officers as offenders and victims in domestic violence situations. While Gregson was not part of the committee

that developed the class, he is one of the cadre of instructors due to his experience with Sacramento's Internal Affairs Division.

In "Officer-Involved Domestic Violence," participants are taught to understand the elements of family abuse with emphasis placed on stalking, strangulation, and dominant, aggressive behavior, he said.

"Some of those things might be inherent in a police officer's character and as anyone would agree, police officers tend to be more A-type personalities, more assertive," Gregson said.

The class also focuses on legal, organizational and administrative issues. Under California's Peace Officer's Bill of Rights, criminal and internal investigations must be conducted separately, with the administrative case kept con-

fidential.

"This is where I would come in," said Gregson, "and say, 'You know what, one of your police officers has been accused of abuse by his wife, you have two things you have to deal with — you have a criminal investigation that you, by law, must complete and likely even an arrest that is mandated, plus, an administrative issue and you can't mix the two.'"

No single incident prompted the course, he said, but rather a recognition that departments had officers who were abusers, suspects and victims of domestic violence.

"Are we dealing with it appropriately, are we handling it the same way we handle a routine citizen in our community?" Gregson asked. "We suspected we probably were not."

## Colorado gets tough — and hopes to get tougher — on police impersonators

For Colorado lawmakers, increasing the penalty for police impersonation to a Class 1 misdemeanor was just the start. During the next session, they hope to make the crime a felony and to put laws on the books that will regulate ownership of law enforcement equipment and paraphernalia.

As of May 1, impersonating a police officer in Colorado became punishable by up to 18 months in jail and a maximum fine of \$5,000. The previous punishment was a one-year sentence and a \$1,000 fine.

"We would not be here today if a Fort Collins family had not suffered an unspeakable tragedy," said Gov. Bill Owens, who signed the legislation in April. "We know there are more steps the Legislature can take."

Lacy Miller, a 20-year-old student at the University of Northern Colorado, was abducted, raped and killed on or about Jan. 18 by 22-year-old Jason Clausen, who stopped her car that morning using flashing police lights. Her body was found in Poudre Canyon on Jan. 26.

State Senator Steve Johnson, who

### *A kidnap/rape/murder spurs new legislation, but some wonder about enforcement — and impact.*

sponsored the bill along with Representative Bob McCluskey, a fellow Republican, said he would consider introducing legislation next session to make impersonation a felony. They could not do so this year, they said, because budget cuts have limited the number of felonies requiring jail time.

Prior to Miller's murder, a Larimer County sheriff's deputy had questioned Clausen for more than an hour after finding him lurking around a motel near Fort Collins. Although they had to let him go for lack of evidence, deputies found three guns, a ski mask, a fake badge, a police-style flashlight, handcuffs, Mace and police-style lights installed on his SUV.

Clausen pleaded guilty in April to Miller's murder and was sentenced to

life in prison. Although investigators believe he beat Miller to death with a flashlight, they have been unable to find the weapon.

"I don't think just stiffening the penalty for police impersonation will have any sort of impact at all," Larimer County Sheriff Jim Alderden, a legislative liaison for the County Sheriffs of Colorado, told The Denver Post. "What we need is some sort of law that lets us take law enforcement action, in some cases seizing equipment."

Miller's mother, Wendy Cohen, has collected nearly 1,000 signatures on petitions she said she would present to lawmakers during the next legislative session, urging them to enact a "Lacy Law" which would ban ownership of law enforcement equipment by

laypeople.

"I'm a mother sitting here without a daughter because of a set of police lights," she told The Post. "It all kind of boils down to that. If he didn't have those lights, she would not have been vulnerable. There should be something on the books to take this stuff away."

According to state authorities, Colorado has 30 to 40 impersonation cases a year. In Boulder, Brighton and Fort Collins, police reported more than a half-dozen since January.

"It brought it to the forefront because it's such a tragedy," said Fort Collins Chief Dennis Harrison. "It's the worst nightmare you can think of."

One obstacle, however, is drawing the line between a person who merely enjoys the type of law enforcement collectibles available from flea markets, catalogs and Web site, and someone such as Clausen.

"Just because it's a light police use doesn't mean it doesn't have a non-police application," said Gene Voegtlin, legislative counsel for the International Association of Chiefs of Police. "That's the problem."

## Urban terrorism — the rehearsal



Seattle public safety agencies were mobilized in force on May 12 during a mock nuclear "dirty bomb" explosion that was part of a terrorism response exercise. Above, a police officer checks for survivors after the "attack," while at left, firefighters in protective suits monitored for radiation. The exercise, which also involved a mock bioterrorism attack in Chicago, was the largest drill ever staged in the United States. (Reuters)





## In the line of duty

At recent ceremonies at the National Law Enforcement Officers Memorial in Washington, John Marshall, the Virginia Secretary of Public Safety, honored Trooper C. Mark Cosslett and 376 others whose names were added to the memorial. (Courtesy NLEOMF)

## Bush backs ban on assault weapons

Gun advocates were perplexed this month when President Bush, a staunch and long-time supporter of the National Rifle Association and its goals, decided to support an extension of the 1994 ban on semiautomatic assault weapons.

A bill to extend the ban for another decade will be introduced this month by Senators Dianne Feinstein (D.-Calif.) and Charles Schumer (D.-N.Y.). The proposal is very similar to that already in place. It bans 19 types of firearms and others that meet a certain criteria. A tougher version that would have expanded the class of excluded weapons was rejected by Senate Democrats, who deemed it too politically risky.

As a result, specific firearms such as the Bushmaster rifle that was used in the Washington-area sniper attacks would not be banned. A House version, which more broadly defines an assault rifle, would ban that weapon.

"I would like to strengthen the bill," Feinstein told *The New York Times*, "but I don't want to lose the bill, and important to that is the President's support."

One of the crucial questions in the debate is expected to be whether over the past nine years the ban has made a difference.

While gun-rights groups claim the assault-weapon ban has done nothing more than deprive hunters and sportsmen of the high-powered

rifles they use for recreational purposes, a study soon to be released by the Violence Policy Center — a liberal Washington group that supports the ban's extension — found that at least 41 of the 211 law enforcement officers killed in line of duty from 1998 to 2001 were shot with assault weapons. These were usually copycat weapons that did not fall under the law.

"The gun industry's open evasion of the assault weapons ban continues to place America's law-enforcement officers at the highest possible risk," said Kristen Rand, the group's legislative director and the study's author.

Bush's position has caused anger and confusion among gun owners and lobbying groups, for whom fighting the ban is a top legislative priority. N.R.A. officials hope that they can kill the bill before it ever reaches the President's desk. Said Chris W. Cox, the group's chief lobbyist in an interview with *The Times*: "Do we agree with the administration's position on this? No, we don't, but the real fight is going to be not at that level, but in Congress."

On the other hand, gun-control advocates contend that supporting the ban is good politics, and that it is the right thing to do. "This is an extremely popular measure," said Matt Bennett, a spokesman for Americans for Gun Safety.

# The road gets a little rockier for suits against gun industry

Legislation which, by all accounts, stands a strong chance of being passed could put an abrupt end to dozens of pending cases brought by individuals and jurisdictions around the nation against firearms manufacturers.

In February, plaintiffs had found what they hoped would be a smoking gun, so to speak — a former chief lobbyist for the gun industry. Robert A. Ricker, a former executive director of the American Shooting Sports Council, filed a scathing affidavit in California Superior Court in which he said the industry had actively shunned taking any constructive measures that could have helped reduce the problem of unscrupulous dealers selling their product to criminals.

Not only were manufacturers well aware of the issue, he said, but they pressured one another into maintaining silence on it.

Ricker was the first senior firearm-industry executive to blow the whistle on his former colleagues. His statement is expected to be used in a suit brought against gun manufacturers, wholesalers and retailers by 12 California cities and counties. Although under court seal, Ricker's affidavit was obtained by *The New York Times*.

At least 30 jurisdictions are currently suing the industry, with many of the cases in progress, including those in Chicago, Detroit, Newark and New York. Judges in Cincinnati and Cleveland have ruled that suits brought in those cities can proceed to trial.

To be sure, there have been ups and downs along the judicial path.

An Oakland jury in May held a California gun manufacturer partially liable for the accidental shooting in 1994 of a 7-year-old who was left a quadriplegic. The manufacturer, Bryco Arms, and its distributor, B.L. Jennings Inc., will be held responsible for paying one-third of the \$50 million award to the plaintiff, Brandon Maxfield, who is now 16.

Yet that same month, a judge dismissed gun makers as defendants in the lawsuit filed by 12 California jurisdictions, including Los Angeles, San Diego, San Francisco, and Sacramento, in concert with gun-control advocacy groups. Only a handful of gun wholesalers and retailers are still defendants in the suit, which accuses the industry of creating a public nuisance by distributing weapons in ways that would make them easier for criminals to obtain illegally.

And in Brooklyn, N.Y., a jury on May 14 cleared 45 gun manufacturers in a suit brought by the NAACP alleg-

ing that the industry knew about and did nothing to stop corrupt dealers who were supplying firearms to criminals in minority communities. A total of 68 defendants were named in the suit, including Smith & Wesson Corp. and Glock, Inc. The jury was unable to reach a verdict for the 23 other defendants.

Under the bill supported by President Bush and a majority in Congress, however, that may be the last trial that gun makers ever have to fear. The legislation would give gun makers and

## Legislation could make the gun industry the only one in the U.S. with blanket immunity from prosecution.

dealers blanket immunity from lawsuits, making it the only industry in the nation to have that type of protection.

Facing lawsuits that could cost them millions through legal fees and jury verdicts, gun makers have worried that the costs could drive them out of business. The National Rifle Association called the pending legislation a prudent measure for making sure the industry did not falter due to the actions of criminals.

But critics charge that the NRA, with \$100 million in support from the industry, applied pressure to lawmakers. More than two-thirds of House members voted in favor of the bill on April 9. Should the measure pass the Senate, where it has 52 co-sponsors, Bush said he planned to sign it.

"Gun activists really got the message across that scared the hell out of the political people," said Senator Frank R. Lautenberg, a Democrat of New Jersey. "People are frightened of a reaction from the gun lobby. Frankly, I think we need to stand up to them."

Lautenberg launched a counteroffensive last month with a bill aimed at stemming the flow of illegal guns through greater regulatory control and enforcement in the name of homeland security.

The Homeland Security Gun Safety Act, co-sponsored by Senators Edward

M. Kennedy (D.-Mass.) and Jon Corzine (D.-N.J.), would require maintenance of records for certain handgun transfers, coinciding with the current Homeland Security Advisory System during periods of heightened security, such as the recent Level Orange alert.

"Common sense regulation and enforcement, now more than ever," Lautenberg said in a prepared statement. "It is imperative that Congress reassess the nation's vulnerabilities to acts of terror and pass sensible legislation to protect the American people and secure our homeland."

Ricker's affidavit in the California case shot holes in many of the industry's most common defenses, including the claim that gun makers are obeying the law by selling only to federally licensed dealers. It is a "fiction," he asserted, that all license dealers are operating legally. The firearms industry knows that a shortage of personnel and loopholes in gun laws have hurt the enforcement capabilities of the Bureau of Alcohol, Tobacco and Firearms.

Ricker, a 20-year veteran of the gun industry and a former lawyer for the National Rifle Association, was fired from his post at the American Shooting Sports Council after meeting with President Bill Clinton in 1999 to discuss the prevention of school shootings, according to *The Times*. The NRA opposed the conference, and disbanded his organization in favor of the more conservative National Shooting Sports Foundation.

In a telephone interview with *The Times*, Ricker said that someone had to speak up because "we've got a bunch of right-wing wackos at the N.R.A. controlling everything." Many gun makers would be "more than willing to sit down and negotiate a settlement," he said.

So concerned were gun makers by the potential for liability, according to the affidavit, that they met yearly between 1992 and 1997 to discuss whether it would be a good idea to take voluntary action that would allow them to better control distribution.

In the end, it was decided that even holding such conferences was "dangerous" and they were stopped, Ricker said.

"The consummate insider has now exposed the dirty little secret of the gun industry — that is, the underground market is supplied by corrupt gun dealers, and the industry punishes anyone who tries to stop it," said Dennis A. Henigan, legal director for the Brady Center to Prevent Gun Violence, in an interview with *The Times*.

## The law giveth, and the law taketh away:

# County quickens the pace of civil forfeiture

The speed with which drunken drivers and drug offenders in Minnesota can be separated from their property under the state's administrative forfeiture laws has been sharply accelerated under an initiative launched last month by the Stearns County Attorney's Office, which permits law enforcement to begin the process itself.

According to County Attorney Janelle Kendall, the decision was prompted by the need to get the ball rolling on these cases. Civil forfeitures took up to a year or more when they

had to be initiated by her office, and were subject to attorney review. Now, the process can begin almost immediately.

Kendall took office in January, having unseated Roger Van Heel, who had held the office for three decades.

In an interview with *Law Enforcement News*, Kendall said of her predecessor: "His philosophy on the forfeiture topic generally was that it needed to go through attorney review. When we first started doing forfeitures years ago, which was during his tenure, I could understand that. It was something new,

it was something that we weren't used to, we really didn't know how it was all going to play out. But over time, the system of administrative forfeiture has become commonplace, has become comfortable, it's become very familiar."

It also makes more sense, said Kendall, that the civil and criminal actions proceed together. County attorneys will still be reviewing cases to make sure the rules are being followed, she said. While her office is not necessarily changing its policy on what can be seized, it may become somewhat more aggressive, said Kendall — par-

ticularly with respect to drunken drivers.

"Our experience has been that law enforcement is calling us on borderline cases before they initiate it," she said. "I think it's just a different relationship with law enforcement than had previously existed."

Bruce Bechtold, chief deputy of the Stearns County Sheriff's Department, said that in just one month, his agency has noticed a difference. Under the old system, he told *LEN*, notices were not served until six months to a year had elapsed. During that time, property

could be depreciating in value. Also, property that could potentially be returned to its owner is also suffering wear and tear from people breaking into the agency's storage area.

"It's better this way to get things moving," said Bechtold.

But defense attorneys are not that sure. The forfeiture laws are not always understood by defendants, especially those who cannot afford a lawyer, they say. In the case of an improper seizure, the individual could be without a vehicle for more than a week or two before it is released by prosecutors.



**Fox:**

## The blue plague of American policing

By Robert A. Fox

Cops kill themselves three times more often than other Americans. They suffer more depression, divorce more, and drink more — as many as one in four police officers have alcohol abuse problems. Cops are unhappy. They feel estranged from their departments and from a public eager to find a scapegoat for their own social, economic and political woes. This problem should give pause to everyone, to supporters and critics of the police department alike. Society needs police officers, and we need them to be happy and healthy.

The numbers are staggering. Lt. Peter J. Pranzo of the New York City Police Department estimates that America's cops kill themselves at a rate roughly triple the national average. Researchers at the University of Buffalo have found that police officers are eight times more likely to commit suicide than to be killed in a homicide. The most recent U.S. Census estimates that police officers divorce twice as often the national average. The respected researchers J.J. Hurrell and W.H. Kroes say that as many as 25 percent of police officers have alcohol abuse problems. This evidence cannot be ignored. Police officers are suffering from anomie; they believe that society is turning its back on them.

The irony is that police perceive society to be shunning them even as society believes them to be doing their jobs better than ever. A recent Harris poll found that over the past decade police improved their ratings in all of the following categories: "helpful and friendly," "not using excessive force," and "treating people fairly." The poll also reported dramatic improvements in the ratings Americans gave police in preventing crime and solving crime and, most impressively, significant improvement in the fair treatment of minorities and a decline in the fear of being arrested when completely innocent.

So what's going wrong? Why do cops feel unappreciated even as their performance improves? The convenient conclusion is to attribute officer stress to increased violent crime, budget cuts, and low pay, matters beyond the control of the agency and public. The truth, though, is that the most common and debilitating source of stress in law enforcement comes from within the agency itself. Cops don't complain about the added complexity of their jobs nearly as much as they do about the agency for which they work. Cops feel estranged, caught between a public that is both distrustful and unappreciative of them and an agency that marginalizes them. Ask cops what they don't like about their jobs and they cite internal politics, favoritism and impersonal treatment as their most common criticisms of their work environment. Internal surveys reveal that cops rate personal stress management as their most pressing need. Working in a paramilitary structure depersonalizes and marginalizes people from top to bottom. Decision-making structures that deprive them of input embitter officers and breeds cynicism. They resent supervisors who treat them as numbers, who have no consideration for their personal or family lives, who play favorites in terms of choice assignments, shifts, and recognition. They doubt whether or not they will be backed up by their superiors in times of trouble.

No cop ever joined the force to drink or get divorced. They became cops to make a difference. But the ideal is difficult to maintain as the chasm of distrust and alienation between police officers and the public widens. Police officers have an incredible capacity to deal with incidental stress. What police cannot deal with is the chronic stress of a system that marginalizes them. Psychologist William James said it well: "The deepest principle in human nature is the craving to be appreciated."

Many police officers suffer from Post Trau-

### Stress Reduction Kit

**Bang  
Head  
Here**

#### Directions.

1. Place kit on FIRM surface.
2. Follow directions in circle of kit.
3. Repeat step 2 as necessary, or until unconscious.
4. If unconscious, cease stress reduction activity.

matic Stress Syndrome. PTSD is commonly associated with war survivors, but isn't just experienced by veterans. We know now that it can be experienced by anyone working in an environment where individuals feel marginalized and dehumanized. Up until the 1980's, victims of PTSD were often seen as "weak" or in a transient state of recovery. We understand now that PTSD sufferers often have alcohol and drug problems, and experience depression, feelings of isolation, and confusion. They have sleep problems and coping difficulties, and often feel irritable, hyper-alert and angry. It is not uncommon for PTSD sufferers to contemplate and attempt suicide to escape their anxiety. Sound familiar?

So what do we do?

We need to create a non-toxic work environment for the men and women that protect us. The training and education a police officer receives

address the criminal justice system, race relations, constitutional law, self-defense and ethics, among other subjects. It offers little or nothing to prepare the future police officer to successfully adjust to the new and very different working environment of law enforcement. It's time for officials at the highest policy-making levels to take responsibility for the fact that stress is killing and incapacitating more police officers than bullets. Along with body armor, every man and woman entering this profession deserves a "stress vest" that provides them with the knowledge, skills and on-going services to combat the deadly consequences of stress.

Like any problem, the solution begins with awareness and education. Before young people are exposed to the realities of life as a police officer in a paramilitary environment, they deserve to be properly trained and educated in their profession. Beginning with the police academy experience, future police officers (cadets) need to learn about working in a complex bureaucracy. They need to learn how to deal with human tragedy and separate it from the way they interact with their own families and loved ones. Police officers need on-going services in stress management to maintain their identities as human beings first and understand that law enforcement is a job and career, not who they are. Police officers who lose their humanity become cynical and are at risk of losing their connections to their families and society. Police administrators, often perceived by their subordinates as uncaring and disrespectful, need to learn more effective management skills.

(Robert A. Fox, Ph.D., is a professor at John Jay College of Criminal Justice, where he developed the Stress Management in Law Enforcement course. He is also a review board panelist for the National Institute of Justice in the area of stress management in law enforcement.)

**Gallo:**

## Requiem for a fellow warrior

By Gina Gallo

*"We few. We happy few. We band of brothers;  
For he that sheds his blood with me  
shall be my brother."*

— William Shakespeare

There's a war raging, one you won't hear about on CNN. In this war, there's only one combatant, locked in a battle that will have no victor. The warrior is Ruth, my friend and colleague, now in the final round of a fight for her life.

We were warriors together once — me, Ruth and her husband, Ron — young cops battling in the war zones of Chicago. Barely more than kids then, we believed in what was right, believed enough to fight for it. Those inner-city streets we patrolled were a non-stop reality show of war and crime and the human condition, all around us in living and dying color. We were the ones designated to right what we could, contain the mayhem, and somehow hold on to the belief that, despite all evidence to the contrary, we could make a difference.

We bled together. We worked those streets and racked up the kind of injuries along the way that can happen in any war. At the time, we shrugged them off. There are no battles without casualties, and if only the strong survive, then we were survivors, deriving our strength from each other, the band of warriors who stood together.

With the rest of us, Ruth learned to "walk the walk" and back it up with the action required to survive on the street. She saw it all — predators and prey, screaming victims, crying kids — and somehow she held on to her freewheeling spirit that buoyed us all.

Even when the landscape we worked was

washed by tears, or daubed with blood that was sometimes our own, Ruth didn't waver. She was always there with back-up, with a joke, with whatever words were required during the toughest times to remind us that we were warriors, comrades and family.

In combat, there is no sense of time, only sequences of experience that you struggle through, hoping to survive intact. That is why cops are aware of moments more than years. They have no real grasp of how fast time is passing because they live in the present, the only thing that's assured them. It's also why those same kids you started out with will always be young in your mind's eye, in spite of years passing and the heavy toll taken by the battles we fought.

How do you describe someone you've laughed and bled and, sometimes, almost died with, certain of nothing except that you'll do it again, go out there the next day and every day thereafter because that's what you do? We thought we'd last forever — an impossible concept that Ruth proved to be the cruellest myth of all.

When yet another duty injury kept her out of work, we assumed it was the usual — just enough down time to recover and then return to the trenches. Injuries never kept Ruth down for long, and never stopped her laughing about them. Stuff happened, she'd say, grinning past the leg cast or over the newest set of crutches. No big deal. But that last time, it was.

Multiple sclerosis, the doctors said. Teams of specialists came next, so many that their various opinions brought nothing but more confusion. Some believed the disease was triggered by the staggering number of head and spinal injuries Ruth sustained at work. Others claimed not to know

the causes, only the prognosis, which was grim.

Within months, Ruth was confined to a wheelchair. Within a year, the warrior who'd stood beside us was bedridden and paralyzed. Now she faced her most daunting battle: spending the rest of her life as a prisoner of her own flesh.

When faced with adversity, cops — and warriors — know better than to ask why. Instead of questioning, we only consider the odds and the outcome of our actions. Most times, we hope for the best. When it's clear there is no "best," we hope for the strength to get through. For 14 years, Ruth and Ron have fought this war, struggling through each day, each hour with the same determination. After a night of fighting crime, Ron would come home to face a more covert enemy. The disease was relentless, withering and contracting Ruth's limbs, depriving her of all feeling and control of her body. The same warrior who once tracked down criminals couldn't hold a fork or spoon. As the illness advanced, the woman who'd laughed and cheered the rest of us on could barely speak.

Now those of us who stood with her and counted her among our numbers are helpless. As she fights this last battle, there's no back-up we can provide, no words that will change the outcome. Each day her battle is harder, and the fighting takes a heavier toll.

"She can't swallow," Ron tells me. "She won't eat."

The last time she tried to speak, her words were garbled — wounded-animal sounds that raged against this enemy. It reminded us all of the courage it takes to fight a war that guarantees defeat.

"Semi-comatose," Ron whispers through his tears. "She's trying to hang on..."

Ruth's eyes are closed now, shuttered against what she sees ahead. There's nothing to do but keep this final vigil, and acknowledge the bitter irony of a roomful of cops who can't prevent this final crime — the theft of her life.

Her breathing now is wispy as angel's wings. We stand together silently, because there are no words, only prayers and messages. Prayers for Ruth's safe passage, and, from her band of brothers, a message of love and lasting peace when she finally lays down her sword.

(Gina Gallo, author of "Armed and Dangerous: Memoirs of a Chicago Cop," served for 16 years with the Chicago Police Department before retiring due to a duty-related disability. Now living on the West Coast, she is a member of the Mystery Writers of America and the International Association of Crime Writers, as well as a regular contributor to TheColumnists.com. This article is "dedicated to Officers Ron and Ruth Hayes Paliga, with love and gratitude for your friendship, courage and example.")

### Note to Readers:

The opinions expressed on the Forum page are those of the contributing writer or cartoonist, or of the original source newspaper, and do not represent an official position of Law Enforcement News.

Readers are invited to voice their opinions on topical issues, in the form of letters or full-length commentaries. Please send all materials to the editor.



## Profiling fears said to thwart seat-belt laws

While traffic safety experts contend that lives are saved by laws that allow police to stop cars based solely on the grounds that motorists are not buckled up, fears of racial profiling and of government interference have thwarted efforts to expand primary seat-belt laws from beyond the current total of just 19 states, they say.

According to data from the National Highway Traffic Safety Administration, states that pass these laws can expect an increase of 8 percentage points in seat belt usage. At present, approximately 75 percent of Americans buckle up. If everyone wore seat belts, NHTSA officials say, as many as 9,200 road deaths — nearly one-third of the nation's annual 31,000 traffic fatalities — could be prevented.

Yet lawmakers in many states vote against primary seat-belt laws. In Massachusetts, which has the nation's third-highest auto insurance rates and is second only to Rhode Island in the percentage of motorists who die unbelted, two repeals were won by a radio talk-show host who considered the proposal an infringement on civil liberties.

In Virginia, where police are allowed to issue tickets for not wearing belts only after making a stop for other infractions, African-American legislators voted against a primary belt law this year on the grounds that it would encourage the unfair targeting of minorities by police.

Although considered to be among the hardest groups to reach, belt usage by blacks has surpassed 75 percent this year. In Georgia, which has a primary belt law, 77 percent of motorists buckle up; in Lowndes County, the rate exceeds 90 percent.

At least some of that can be credited to the work of Ronnie Mathis, a regional coordinator with the state's highway safety office and pastor at Greater Pleasant Temple Baptist Church in Valdosta. Mathis is one of several black clergymen in Georgia who are sending their congregations a message about buckling up.

"In the deep South, a lot of people are turning to the church to meet all their needs," he told USA Today. "I've gotten into the hearts of these people, so if I ask them to do something, that's pretty much it."

## Tacoma weathers fallout from Brame shootings

Continued from Page 1

an active member of the force, joined the police department in 1981 and became chief in 2001.

Although a licensed psychologist who conducted the department's psychological screening considered Brame at best a marginal candidate, Brame's problems were apparently not so severe as to warrant the outright reject of his application.

According to a 24-page report released by the Tacoma Police Department, the psychologist, James H. Shaw, wrote on Nov. 17, 1981, that although bright and articulate, Brame had problems adjusting socially and was rigid in his thinking and actions. Tests used to evaluate him indicated a tendency to exaggerate to the point of deception, said Shaw.

Moreover, Brame's responses to the Rorschach test administered to all candidates differed greatly from those of other applicants, Shaw said. Instead of seeing the whole picture, Brame seemed to focus on particular areas of the ink blots, indicating that he could be someone who would have difficulty evaluating a situation and acting appropriately.

Other documents in his file included a handwritten job application and notes from interviews with friends and family. One acquaintance, Dave Davidson, a friend of Brame's brother, said that to his knowledge, Brame did not socialize with anyone his own age. His behavior bordered on the anti-social, Davidson told the interviewer, Sgt. J. Richburg.

"His introvert-type personality and lack of life's experience makes it very doubtful that he will survive probation," Richburg wrote to the chief at that time. Still, he recommended that Brame be hired with reservations and special attention to Shaw's profile.

Then there was an allegation of rape that occurred in 1987. The documents, which were ordered unsealed in May by Pierce County Superior Court Judge Katherine Stolz, were part of a 1999 lawsuit brought against the city, City Manager Ray Corpuz Jr., Brame and other police officials by Officer Joseph Kirby. The file was initially sealed in 2001 soon after Brame was named chief, when a judge determined that the documents were not relevant to the suit, which sought unspecified damages for various personal injuries.

According to the file, retired police chaplain Dave Olsen had testified that he believed Brame was guilty of having raped the woman while on a date. In another deposition made by Charles Meinema, then a police captain, he said that Olsen believed the allegations, but that they could not be proved.

Brame admitted to having had sex with the woman, but claimed it was consensual. A fellow officer and two internal investigators said they took the woman's account over Brame's explanation.

In 2001, release of the rape accusation was blocked at the urging of Shelly Kerslake, an assistant city attorney.

According to court documents, the city called the allegations irrelevant and an embarrassment to Brame, who was made chief 11 months later.

Last month, when Crystal Brame's divorce-related allegations came out, city officials continued to refer to Brame as an "outstanding chief" who was "doing a great job."

City Manager Ray Corpuz Jr., whose decision it was to promote Brame to the top position, said that he had no interest in "exploring David's personal life at this time." At the time of Brame's appointment to chief, Corpuz had called him a "trusted insider."

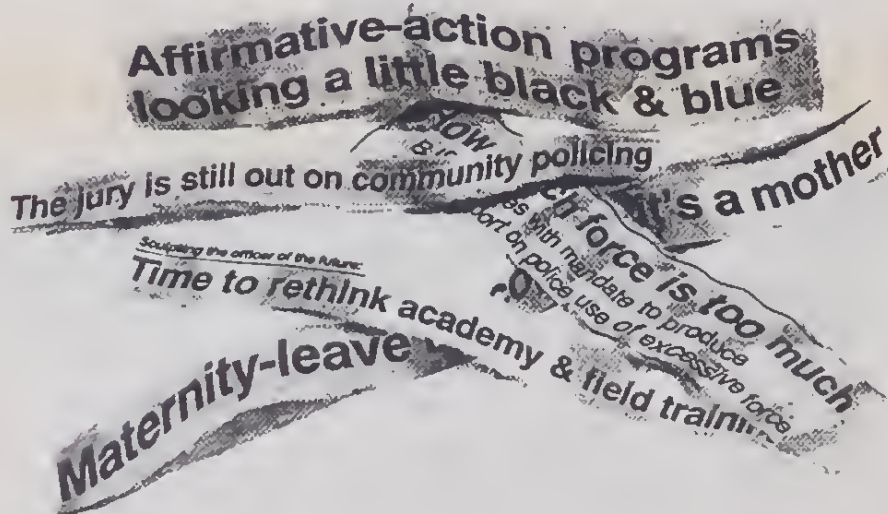
On May 6, the City Council voted to accept Corpuz's request that he be put on paid administrative leave until the conclusion of the investigation. Questions have been raised as to how much he knew about Crystal Brame's allegations and about Brame's failure to pass the agency's psychological test.

Corpuz said he did not know that Brame had fared that poorly on the screening. He also did not know, he said, that just days before the murder-suicide, the city's two top human resources officials had recommended that Brame's gun and badge be taken away.

According to The Post-Intelligencer this month, Pierce County sheriff's deputies refused to visit Crystal Brame after she made a 911 call in April telling them how she felt intimidated by the presence of her husband and Woodard when the two showed up at her parents' home.

[It was reported May 31 that Tacoma personnel director Phillip Knudsen insisted he and other officials had recommended stripping Brame of his gun the day before he shot his wife and himself, but that city attorney Robin Jenkinson opposed the idea.]

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## CrimeWeb outgrows humble Texas roots

Continued from Page 1

ment agencies are based on population size. For a jurisdiction of 25,000 or less, the price is \$1,500 a year. The highest fee is \$8,500, charged to cities of 1.5 million.

Among the police agencies in Texas that have become members of CrimeWeb.Net are those in Crawford, Garland, Richland Hills, and Waco. The Hoover, Ala., Police Department has also joined, as has the police force in Port St. Lucie, Fla.

In Mesquite, police recently used the network to convey information to the public about ways in which senior citizens can avoid being taken by con artists. One of the benefits of the system, said Piccioni, is that it allows for a customized two-way link so that users can respond directly to the department after an alert has been issued.

After disseminating the information, he said, the department got a response from a woman who said she had paid some people to cut her hedges. They took half the money up front, and she never saw them again.

Her email was cut and pasted, and put out as an alert. About three days later, another senior used the system to email the department that she, too, had some people come around to cut her

hedges. She kept them there under the pretext of finding her check book and called 911.

"We got there and managed to arrest them and clear up several cases," said Piccioni.

Police in Waco have also had some success with the system, he noted.

Using the system mainly for distributing sex offender information, the Waco department had sent an alert to the neighborhood where a convicted sex offender had registered he was living. A female student at Baylor University saw his picture and contacted police to say that the man had recently moved into one of the school's co-ed dorms.

But Cmdr. Randy Alemann of the Waco Police Department said the agency has not expanded the network's use as much as he had expected.

"You've got to have people to enter the alert into the computer," he told LEN. "Honestly, I think that's part of our deal here. We're short-handed and maybe they believe it takes a longer amount of time to make these entries than it does. Our secretaries in various areas have been trained so they should know how to do it, but for some reason it hasn't really fully taken off like I think it should have."



# Object lessons & fallout from protests

Continued from Page 1

the Feb. 15 rally. At least a dozen or so included accounts of arrestees being quizzed on their political activities, said NYCLU associate legal director Christopher Dunn.

O'Looney said the police department would continue to ask arrested protesters what groups they belonged to, but would retain the information in the form of a tally that did not list the person's name. Knowing how many people from a particular organization had been arrested would help the NYPD assign the right number of officers to future demonstrations, he said. O'Looney also maintained that those questioned were not entitled to an attorney because they were not being interrogated, but rather "debriefed."

Although intelligence gathering has become more widespread since the terrorist attacks of Sept. 11, 2001, the use of the debriefing form raised concerns that police had violated the Handschu Agreement, guidelines that for the past 20 years have limited the NYPD's surveillance of political groups.

Those rules were relaxed by a federal judge, however, on March 25 — two weeks prior to the disclosure of the debriefing form — in order to give police some of the latitude they sought in conducting terrorism investigations.

Gail Donoghue, a special assistant to the corporation counsel who represents the city in the Handschu case, said the political questioning was legally justified.

"There's nothing I am aware of in the Constitution and in jurisprudence related to the First Amendment that would say the police can't question about any activities that may be relevant or related to criminal activity," she told The Times.

Kelly said that neither he nor David Cohen, the deputy commissioner for intelligence, were aware of the practice. It was, however, a "good faith" effort to develop information that could help the department, he said.

In February, more than 800,000 people participated in 150 anti-war rallies in the United States. As police have since learned, technology, particularly the Internet and cell phones, played a crucial role in creating the potential for large, spontaneous demonstrations.

"Whenever a new communications technology lowers the threshold for groups to act collectively, new kinds of institutions emerge," said Howard Rheingold, the author of "Smart Mobs: The Next Social Revolution," in an interview with The Times. "We are see-

ing the combination of network communications and social networks."

In New York City, organizers were quickly able to find participants for a "die-in" in March that blocked rush-hour traffic in midtown Manhattan. In San Francisco, the city's Bay Area Independent Media Center was able to solicit enough volunteers to stage sit-ins at various intersections. The group was able to shut down much of the downtown area when the protest began on March 19 and on the following day, as well. When confrontations occurred with police, the encounters appeared live on the group's Web site.

The goal of the protest was to disrupt everyday life, according to Direct Action to Stop the War, an umbrella group that organized the rally. Twenty intersections and thoroughfares were blocked. The protest resulted in 2,300 arrests, at a cost to the city of about \$3 million in overtime for police, sheriff's deputies and traffic officers.

All charges against activists were downgraded to infractions. Those who lose in court will pay a \$100 fine or perform community service.

Across the bay in Oakland, the confrontation between police and protesters was more volatile. Demonstrators were fired upon with sting balls and other non-lethal munitions when they refused to move from two gates outside of the Port of Oakland. The use of the projectiles was necessary, said Police Chief Richard Word, because protesters had thrown rocks, set bonfires and shut down the port. It is believed to be the most violent clash to have occurred between police and demonstrators anywhere in the country.

It was when police had started to move protesters down the street, he said, that they noticed that "some people began to don black masks, and based on the experience in San Francisco," said Word, "that is when they engage in acts of civil disobedience."

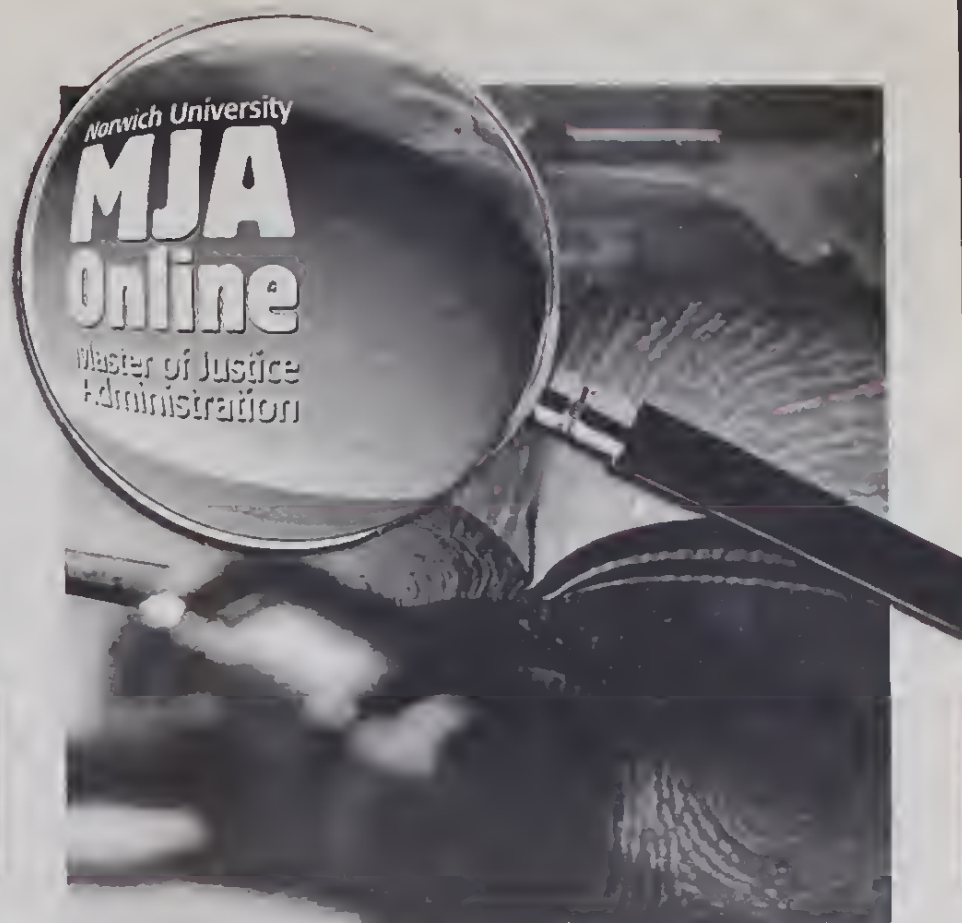
About a dozen protesters were injured, along with nine longshoremen who got caught in the middle of the confrontation on their way to work.

The department has launched an internal investigation into the clash, and an independent three-person panel has been authorized by the City Council. In response to public requests, police have also released their use-of-force reports and transcripts of radio transmissions.

"You can't just pick up concrete blocks, or bolts, and throw them and expect police to sit there and take it," said Mayor Jerry Brown.



Despite the occasional protester handing a flower to a police officer, as here in San Francisco, recent anti-war rallies weren't exactly beds of roses for law enforcement.



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## Death rattle in Tacoma



Tacoma Police  
Chief David  
Brame kills his  
wife, then himself,  
and a whirlwind of  
questions  
envelops the city  
and its police  
force — including  
how did Brame  
become a cop in  
the first place?  
**Story, Page 1.**

### In "Forum":

- Stress: The new blue plague that threatens American policing.
- Requiem for a fellow warrior.  
**Commentaries, Page 9.**

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### What They Are Saying:

**"His introvert-type personality and lack of life's experience makes it very doubtful that he will survive probation."**

— Sgt. J. Richburg of the Tacoma Police Department, in the pre-employment report he prepared on David Brame, who was hired by the department, went on to become chief and, on April 26, killed his wife and himself. (Story, Page 1.)